

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:07CR454</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>DARRYL T. WELLON,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Defendant's request for a transcript, considered as a pro se motion for copies of his sentencing transcript and his docket sheet (Filing No. 46) and motion for leave to proceed in forma pauperis (Filing No. 47).

The request for a transcript without cost is premature. Only once a defendant files a motion pursuant to 28 U.S.C. § 2255, and only if he has been allowed to proceed with his § 2255 motion in forma pauperis, may the Court determine whether court documents may be provided to the defendant without cost. 28 U.S.C. § 2250.

If the Defendant wishes to purchase a copy of his sentencing transcript by providing payment in advance, he may write the court reporter, Ms. Brenda Fauber, 118 S. 18<sup>th</sup> Plaza, Suite 3129, Omaha, NE 68102, and obtain the current cost and additional information.

The Clerk will be directed to mail the Defendant a copy of his electronic docket sheet. The motion for leave to proceed in forma pauperis will be denied as premature.

IT IS ORDERED:

1. The Defendant's request for a transcript, considered as a pro se motion for copies of his sentencing transcript and his docket sheet (Filing No. 46) is granted in part and denied in part as follows:

- a. The request for a sentencing transcript is denied;
  - b. The motion for a copy of the electronic docket sheet is granted, and the Clerk is directed to mail a copy of this document to the Defendant at his last known address;
2. The Defendant's motion for leave to proceed in forma pauperis (Filing No. 47) is denied; and
3. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 3<sup>rd</sup> day of June, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge